IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF NORTH CAROLINA CHARLOTTE DIVISION **DOCKET NO. 3:94-cr-00040-W**

UNITED STATES OF AMERICA,)	
Plaintiff,)	
vs.	j	ORDER
TONY OSIAS (2),)	
Defendant.)))	

THE MATTER is before the Court on Defendant's pro se Motions for Termination of Supervised Release (Docs. Nos. 164, 168). Defendant's supervised release is set to expire on August 5, 2009. The Court has already denied Defendant's previous motions to modify the conditions of and for early termination of his supervised release (Docs. Nos. 139, 145, 149, 157). Although it objected to the prior motions, the Government has not filed any response to Defendant's instant motions. Nevertheless, the Court telephonically contacted United States Probation Officer William Lester, who is responsible for supervising Defendant in the Middle District of Florida, who recommended that Defendant should remain on supervised release.

Defendant has failed to show good reason why the Court's original sentence, including its provisions for supervised release, should be modified to allow for early termination of supervised release. For this reason, and after consideration of the relevant factors in 18 U.S.C. § 3553(a), the conduct of Defendant, the interests of justice, and the recommendation of United States Probation Office, the Court finds that termination of supervised release would be premature at this time.

IT IS THEREFORE ORDERED that Defendant's Motions for Termination of Supervised Release (Docs. Nos. 164, 168) are DENIED.

IT IS SO ORDERED.

Signed: September 16, 2008

Frank D. Whitney

United States District Judge